

1927

## c 207 Stationary and Hoisting Engineers Act

Ontario

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## CHAPTER 207.

### The Stationary and Hoisting Engineers Act.

**1.** In this Act,—

Interpre-  
tation.

- (a) "Board" shall mean the Board of Examiners ap-  
pointed as hereinafter provided; "Board."
- (b) "Gas plant" shall mean and include air, ammonia,  
carbon dioxide and sulphur dioxide compressor or  
compressors, driven by power other than steam,  
and every part thereof and thing connected there-  
with and used with reference to any such compres-  
sor or compressors; "Gas plant."
- (c) "Hoisting plant" shall mean and include a steam  
boiler, a boiler and steam engine and every part  
thereof, working at a pressure of twenty pounds  
or over irrespective of horsepower and used for  
hoisting in structural operations or for excavating  
purposes, or for portable or industrial work; "Hoisting  
plant."
- (d) "Horsepower" of a steam plant shall mean the  
equivalent to the evaporation of  $34\frac{1}{2}$  lbs. of water  
per hour from and at  $212^{\circ}$ —15 sq. ft. heating  
surface for return tubular boilers—12 sq. ft. heat-  
ing surface for locomotive type boilers—10 sq. ft.  
heating surface for water tube boilers; "Horse-  
power" of a  
steam plant.
- (e) "Horsepower" of a gas plant shall mean the brake  
horsepower rating of the motive power driving the  
compressor or compressors; "Horse-  
power" of a  
gas plant.
- (f) "Minister" shall mean Minister of Labour; "Minister."
- (g) "Steam plant" shall mean and include a steam boiler  
or boilers, steam engine or engines, steam pump  
or pumps, or any combination of engines, boilers  
and pumps, and every part thereof and thing  
connected therewith, or used with reference to any  
such boilers, engines or pumps, in one building, or  
in two or more buildings, if said buildings are not  
separated by a distance of more than three hundred  
feet and under the one management. 1927, c. 55,  
s. 2. "Steam  
plant."

Excep-  
tions.

**2.** Nothing in this Act shall apply to the operation of any stationary steam or gas plant having a capacity of less than twenty-five horsepower, nor to steam heating plants or gas plants operating with the safety valve set to relieve the pressure at ten pounds or under, nor to the operation of a locomotive engine used on chartered railroads or electric locomotives, or a steamboat or steamship engine or a hoist at a mine, nor to boilers used for agricultural purposes. 1927, c. 55, s. 3.

Board of  
Examiners.

**3.**—(1) The Lieutenant-Governor in Council may appoint a board of examiners consisting of three or five competent and independent engineers practically conversant with the construction of boilers and the operation of steam plants and gas plants, who shall hold office during pleasure and, subject to the regulations mentioned in the following section, shall prescribe the subjects in which candidates for certificates of qualification as stationary or hoisting engineers shall be examined and shall conduct or provide for and supervise the examination of candidates and report thereon to the Minister.

Staff  
of Board.

(2) The Lieutenant-Governor in Council may appoint such examiners, officers, clerks and servants of the Board as may be deemed necessary. 1927, c. 55, s. 4.

Regula-  
tions.

**4.** The Lieutenant-Governor in Council, upon the recommendation of the Minister, may make regulations for,—

- (a) the examination of candidates, the granting of certificates, the classifying of the holders of these certificates into their respective grades and the evidence to be furnished by candidates as to previous training or experience and sobriety and good character;
- (b) determining the time of duration of certificates and their renewal;
- (c) fixing the fees to be paid by candidates upon examination and for certificates and their renewal;
- (d) prescribing the causes for which a certificate may be revoked, cancelled, or suspended;
- (e) fixing the fees or other remuneration to be paid to the members and officers of the Board;
- (f) fixing the fees to be paid by plant owners for certificates of registration. 1927, c. 55, s. 5.

Qualification  
of candidates.

**5.** A person shall not be eligible for examination unless he is a British subject, or has expressed his intention of becoming a Canadian citizen and has the necessary residence qualifications for becoming a Canadian citizen required by the Dominion *Naturalization Act* and has made application

to the proper authorities for naturalization papers. 1927, c. 55, s. 6.

**6.**—(1) On the recommendation of the Board, and on payment of the prescribed fees the Minister may issue certificates of qualifications to stationary or hoisting engineers, and certificates of registration to plant owners. Certificates of qualification.

(2) Subject to the regulations a certificate may be revoked, cancelled or suspended by the Minister on the recommendation of the Board at any time. Revocation or suspension.

(3) Every stationary or hoisting engineer shall, during the continuance of his certificate, register with the Board on or before the 1st day of February of each year on a form to be furnished by the Board, and any stationary or hoisting engineer who fails to do so shall not continue in charge of a steam or gas plant. Registration of holders of certificates.

(4) It shall be the duty of all owners of steam plants and gas plants to advise the Board, on a printed form, supplied by the Board on application, of the horsepower of the plant and pressure at which safety valves on boilers and tanks are set to relieve said pressure, on receipt of which, together with the prescribed fee, the Minister will issue a registration certificate. Any change made in the plant subsequent to registration will necessitate a re-registration of same. 1927, c. 55, s. 7. Particulars as to plants to be furnished by owners.

**7.** The duties of an engineer may be performed for a period not exceeding fourteen days by any person, providing the engineer, for reasons other than dismissal, absents himself from his post without having given seven days' notice; provided that at the end of such period an engineer with the proper qualifications is employed. 1927, c. 55, s. 8. Operating without certificates.

**8.** The Board at its discretion may grant a provisional certificate of corresponding horsepower to be good for a period not to exceed one year to any person who holds a stationary or hoisting engineer's certificate from the Board or other duly constituted authority of any other province of Canada. 1927, c. 55, s. 9. Provisional certificates.

**9.**—(1) The certificate of qualification shall at all times be exposed to view in the engine, compressor or boiler room in which the holder thereof is employed, except in the case of a hoisting plant when such certificate shall be carried upon the person of the operator. Engineer's certificate—when to be kept on view.

(2) The certificate of plant registration shall at all times be exposed to view in the engine, compressor or boiler room of the plant. Plant registration certificate to be exposed to view.

(3) Failure to comply with the provisions of subsections 1 and 2 of this section shall be *prima facie* evidence of the lack of qualification under this Act. 1927, c. 55, s. 10. Non compliance with subss. 1 and 2 evidence of lack of qualification.

Application  
of Act to  
other per-  
sons than  
engineers.

**10.** This Act shall not apply to firemen, who have had less than six months' experience, or other workmen acting under the personal direction or supervision of any engineer holding a certificate under this Act, who is actually in charge of a steam or gas plant, or to the employees of engine builders or steam or gas plant contractors engaged in installing, setting up or testing a boiler or steam or gas plant. This section shall not apply to hoisting engineers. 1927, c. 55, s. 11.

Appeal to  
Minister  
from Board.

**11.** Any person who deems himself aggrieved by the decision of the Board, may appeal therefrom to the Minister, upon giving such notice as the Minister may prescribe, and the decision of the Minister shall be final. 1927, c. 55, s. 12.

Annual  
report of  
Board.

**12.** The Board shall on or before the 15th day of November in every year make to the Minister a report in writing for the year ending on the 31st day of October of the previous year, showing,—

- (a) the number of certificates granted;
- (b) the number of applications for certificates refused and the causes for refusal;
- (c) the number of certificates revoked, cancelled or suspended, and the causes for the same;
- (d) the amount of fees received from candidates or holders of certificates;
- (e) the number of plants registered during the year;
- (f) the amount of fees received from plant owners for registration purposes;
- (g) such other matters as may be directed by the Minister or the Lieutenant-Governor in Council. 1927, c. 55, s. 13.

Right to enter  
premises.

**13.**—(1) Any member of the Board or any inspector, on presentation of authority in writing, signed by the Minister, may enter any premises wherein he has reason to believe there is a steam, gas or hoisting plant and make such inspection as may be necessary to determine whether the provisions of this Act are being complied with.

Penalty for  
interfering.

(2) Any person who interferes with or obstructs a member of the Board or inspector in the exercise of the powers conferred on him, shall incur a penalty not exceeding \$100.

Penalty for  
impersonation.

(3) Any person impersonating another and presenting himself for examination under a false name, in order to obtain a certificate for a person other than himself, shall incur a penalty of not less than \$200. 1927, c. 55, s. 14.



**14.** Every person who,

Penalty for  
operating  
without  
certificates.

(a) except as provided in section 7, operates a steam, gas or hoisting plant as the engineer in charge thereof, or as fireman or oiler at a stationary steam or gas plant under an engineer, without the certificate required by this Act, or employs or permits any person to operate a steam, gas or hoisting plant as the engineer in charge or as fireman or oiler at a stationary steam or gas plant without such certificate; or

(b) is guilty of a contravention of subsection 4 of section 6;

shall incur a penalty of not less than \$25. 1927, c. 55, s. 15.

**15.** It shall be the duty of the inspectors of factories to assist in the enforcement of this Act, to report to the Board any violation thereof and to furnish to the Board such information as they may have as to the conduct and capability of any person holding or applying for a certificate. 1927, c. 55, s. 16.

Duty of  
factory  
inspector.

**16.** The penalties provided by this Act shall be recoverable under *The Summary Convictions Act*, and all fees collected shall be remitted to the Chairman of the Board of Stationary and Hoisting Engineers, cheques being made payable to the Treasurer of Ontario. 1927, c. 55, s. 17.

Penalties  
recoverable  
under  
Rev. Stat.  
c. 121.